

MEETINGS TO DATE 19
NO. OF REGULARS 17
NO. OF SPECIALS 2

LANCASTER, NEW YORK
SEPTEMBER 3, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 3rd day of September 1985, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
ROBERT L. LANEY, BUILDING INSPECTOR
MALCOLM J. FRANCIS, JR., ASSESSOR

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

The Town Board originally had scheduled a public hearing this evening, at 8:15 P.M., to hear all persons upon the proposition and petition of Richard L. Church to amend a previous, provisional rezone granted on premises which he now owns on Cemetery Road, for the purpose of obtaining authorization for the construction of two additional buildings on the Cemetery Road premises.

The Town Attorney reported to the Town Board that his office has reviewed the original provisional rezone and Mr. Church's petition for an amendment to this provisional rezone and it is his opinion that the original conditions of the provisional rezone granted in 1979 were not timely met and therefore the present petition of Mr. Church for an amendment to the provisional rezone is not in order and cannot be acted upon by the Town Board.

The Supervisor then announced that in view of the ruling of the Town Attorney there will not be a public hearing this evening on the rezone petition of Richard L. Church, however, any persons that are present this evening who want to speak in regard to this petition may certainly do so.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M. CONT'D.:

The following persons were heard:

Thomas Sobczak, 6 Nichter Road, requested the Board to issue a Cease and Desist Order to Mr. Church to stop operations on the premises because he is not correctly zoned.

Mr. Sobczak also informed the Board that Mr. Church has not planted the required buffer zone screening between the residential homes in the area and his premises.

Mr. Sobczak also informed the Board that Mr. Church is again stockpiling pallets to a height of approximately six feet on the premises.

Paul Kostusiak, 179 Cemetery Road, told the Town Board that before any rezone is granted to Mr. Church, he wants to see an environmental impact study and a drainage study.

Dennis Richards, 36 Nichter Road, asked the Town Board for clarification as to what this matter was about.

Bernard Zephro, 10 Nichter Road, could not understand how the Town Board could allow this type of commercial building in a residential area.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT;

RESOLVED, that the minutes from the regular meeting of the Town Board, held on August 19, 1985, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

Septemer 3, 1985

File: R-MIN

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Service Program within the geographic area of the Town of Lancaster for the period of January 1, 1986 through December 31, 1986, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Service Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Service Program has been submitted for the period January 1, 1986 through December 31, 1986, in the sum of \$ 34,177.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

September 3, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
TOWN BOARD, TO WIT:

WHEREAS, ROBERT STOLDT will be publicly honored at a 50 Year
Testimonial Dinner, on September 14, 1985, commemorating his years of
membership and service in the Town Line Volunteer Fire Department, Inc., and

WHEREAS, ROBERT STOLDT, through his zeal for his community has
earned the affection and respect of the people of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, does, by
this resolution and public record, on behalf of all of the people of the Town
of Lancaster, recognize and publicly commend ROBERT STOLDT for 50 years of
dedicated service with the Town Line Volunteer Fire Department, Inc.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 3, 1985

File: R-P.R.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Bureau Program within the geographic area of the Town of Lancaster for the period of January 1, 1986 through December 31, 1986, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Bureau Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Bureau Program has been submitted for the period January 1, 1986 through December 31, 1986, in the sum of \$ 57,551.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

September 3, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
TOWN BOARD, TO WIT:

~~ZAMARIA~~
WHEREAS, CHESTER ~~ZAMARIA~~ will be publicly honored at a 50 Year
Testimonial Dinner, on September 14, 1985, commemorating his years of
membership and service in the Town Line Volunteer Fire Department, Inc., and

~~ZAMARIA~~
WHEREAS, CHESTER ~~ZAMARIA~~, through his zeal for his community has
earned the affection and respect of the people of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, does, by
this resolution and public record, on behalf of all of the people of the Town
of Lancaster, recognize and publicly commend CHESTER ~~ZAMARIA~~ ^{ZAMARIA} for 50 years of
dedicated service with the Town Line Volunteer Fire Department, Inc.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 3, 1985

File: R-P.R.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, SAMUEL L. SAEVA, Receiver of Taxes and Assessments for the Town of Lancaster, acts as the collecting officer for County and Town real property taxes, and

WHEREAS, earlier this year the Commissioner of Finance of the County of Erie notified Samuel L. Saeva that the County will no longer be granting an extension to the Town to collect County real property taxes until June 30th of each year, and

WHEREAS, Town Receiver of Taxes and Assessments, Samuel L. Saeva, notified this Town Board that he just received a letter from Erie County Executive Edward J. Rutkowski, informing him that the County would not voluntarily grant extensions of time for the Town to collect County real property taxes, and

WHEREAS, it is estimated that the County Executive's decision will cause the Town to lose \$18,370 in penalty income and that it will pose a great inconvenience to those taxpayers who cannot afford to pay their real property taxes on time,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That this Town Board hereby requests that the New York State Legislature amend Section 938(1) of the Real Property Tax Law to mandate the County Treasurer in Erie County to extend the time for the Town to collect taxes until the 30th day of June in every year;

2. That the Town Board of the Town of Lancaster hereby memorializes the County Legislature and calls upon the County Legislators representing the Town of Lancaster to direct the County Treasurer/Commissioner of Finance to extend the time for the collection of real property taxes by the local tax receivers until June 30th of every year;

3. That the Association of Erie County Governments be and hereby is requested to join this request to the New York State and Erie County Legislatures, and

4. That the Town Clerk be and hereby is directed to forward certified copies of this resolution to County Legislators Richard A. Slisz and Ralph Mohr, and to Governor Mario M. Cuomo, State Senator Dale M. Volker and State Assemblyman Vincent Graber.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 3, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, It is the Intention of the Town Board of the Town of Lancaster to sponsor a Youth Initiatives-Social Work/Counselor Program within the geographic area of the Town of Lancaster for the period of January 1, 1986 through December 31, 1986, and

WHEREAS, the Town Board, by resolution dated June 3, 1985, has heretofore authorized such joint program for the period commencing July 1, 1985 and ending June 30, 1986, with the Lancaster Central School District, and

WHEREAS, It is in the public interest that the Town of Lancaster see to the continuation of this worthwhile program inasmuch as the other participant in the program, the Lancaster Central School District, has so indicated its intention to continue the program beyond the current fiscal year, and

WHEREAS, a proposed budget for the Youth Initiatives-Social Work/Counselor Program has been submitted for the period January 1, 1986 through December 31, 1986, in the sum of \$19,123.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

September 3, 1985

File: R-YTH-STATE (Page 2)

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN KWAK , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Recreation Program within the geographic area of the Town of Lancaster for the period of January 1, 1986 through December 31, 1986, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Recreation Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Recreation Program has been submitted for the period January 1, 1986 through December 31, 1986, in the sum of \$232,788.03, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

September 3, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, there is a demonstrated need in the community for the operation of a Junior Citizens Club at the Depew Branch of the Depew/Lancaster Boys' Club to serve the needs of youth between the ages of 13 and 18 in the Village of Depew and the Depew area of the Town of Lancaster, and

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Junior Citizens Club at the Depew Branch of the Depew/Lancaster Boys' Club within the geographic area of the Town of Lancaster for the period of January 1, 1986 through December 31, 1986, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Recreation Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Initiatives-Junior Citizens Club Program has been submitted for the period January 1, 1986 through December 31, 1986, in the sum of \$22,132.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

BE IT FURTHER

RESOLVED, that the Town Attorney be and is hereby authorized to negotiate and prepare an agreement by and between the Town of Lancaster and the Depew/Lancaster Boys' Club, Inc. for the operation of a Junior Citizens Club at the Depew Branch of the Depew/Lancaster Boys' Club for 1986, said Agreement to be subject to final approval by the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA ABSTAINED*

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

*Councilman Giza abstained because of his interest as a director of the Depew/Lancaster Boys' Club.

September 3, 1985

File: R-YTH-STATE (Pages 3 and 4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 8581 to 8652 Incl.	\$191,911.16
Part Town Fund	No. 1295 to 1307 Incl.	\$ 3,122.44
Highway Fund	No. 3005 to 3021 Incl.	\$ 47,682.90
Special District Fund	No. 844 to 846 Incl.	\$ 1,702.00
Trust & Agency Fund	No. 1008 to 1018 Incl.	\$ 33,112.20
Capital Fund	No. 750 to 750 Incl.	\$ 1,950.00
Community Development Fund	No. 1228 to 1229 Incl.	\$ 774.22
Community Development Fund (Rehab. Escrow Acct.)	No. 154 to 155 Incl.	\$ 1,200.00
Improvement Facilities Sewer Dist. No. 2	No. 172 to 172 Incl.	\$ 1,190.10

and,

BE IT FURTHER

RESOLVED, that the claims of applicants and Sitarek Construction,
for \$1,200.00, Project No. 436312, Bowmansville Neighborhood Improvement,
Town of Lancaster, have been approved by the Community Development Program,
and the Supervisor be and is hereby ordered to submit these claims for
payment from the Community Development Rehabilitation Escrow Account.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 3, 1985

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
176	Kirk Andrusz	207 N. Maple Dr.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
177	Tim Muench	171 Pleasant View Dr.	ER. FR. DECK
178	Norman Nowakowski	572 Aurora St.	ER. FR. SHED
179	S.E.N. Corp.	25 Squirrel Run La.	EXT. FR. SIN. DWLG
180	Homes by Helenbrook	37 Rollingwood Dr.	ER. FR. BRK. FRONT SIN. DWLG
181	Ronald Meier	40 Schlemmer Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
182	Annette Powell	116 Steinfeldt Rd.	ER. FR. PVT. GARAGE
183	Ray Hendel	18 Petersbrook Cir.	ER. PRE-FAB FIREPLACE
184	Gelert Devel. Corp.	4401 Walden Ave.	ER. FR. STORAGE BLDG., OFF. BLDG.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 3, 1985

File: R-BUILDING

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Engineer has recommended Change Order No. 1 on the Glendale/Parkdale Sidewalk Project using Community Development funds, and

WHEREAS, the Town Board, after review, believes it to be in the public interest to make the Change Order, which would cause the contractor, Mark Federowicz Concrete, Inc. to remove broken concrete from this project and dump and spread same on an unimproved building lot known as No. 33 Partridge Walk after having first dug out an area thirty feet wide by fifty feet in depth, and further, that the contractor would thereafter place a No. 3 stone cover to top the area filled, which will produce a turnaround for school buses and other vehicles on this parcel, and

WHEREAS, the cost of this Change Order No. 1 is not to exceed the sum of \$600.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Change Order No. 1 to the Glendale/Parkdale Sidewalk Project at a cost not to exceed the sum of \$600.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 3, 1985

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated August 22, 1985, has recommended that Robert Bernacki be upgraded from the position of Light Equipment Operator to fill the position of Heavy Equipment Operator vacated by the retirement of Joseph Kane,

NOW, THEREFORE, BE IT

RESOLVED, that ROBERT BERNACKI be and is hereby appointed to the position of Heavy Equipment Operator in the Highway Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 3, 1985

File: R-PERS-UPGR

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town of Lancaster is required to meet certain barrier removal requirements to allow access to public buildings by the handicapped under Federal regulations in order to continue receiving Federal Revenue Sharing Funds, and

WHEREAS, plans and specifications therefor have been filed by the Engineer with the Town Clerk and reviewed by the Town Board, and

WHEREAS, sealed proposals were received by the Supervisor of the Town of Lancaster, on Friday, August 30, 1985, for construction of renovations to the Town Court/Police Building and Recreation Building located at 525 Pavement Road, and the Library building located at 5466 Broadway, Lancaster, New York, for access by the handicapped, in accordance with specifications on file in the Town Clerk's Office, and

WHEREAS, by letter dated August 30, 1985, Donald Gallo, Consulting Engineer, has recommended that Contract No. 1 be awarded to GIANADDA CONSTRUCTION CORP., 203 St. Mary's Street, Lancaster, New York, for Bid Sections 'A' and 'C', pending review and approval of bid documents by the Housing & Urban Development Agency of the Federal Government;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the bid of GIANADDA CONSTRUCTION CORP., 203 St. Mary's Street Lancaster, New York, 14086, for Bid Sections 'A' and 'C', in the amount of \$29,820 for construction of renovations to the Town Court/Police Building and Recreation Building located at 525 Pavement Road, and the Library building located at 5466 Broadway, Lancaster, New York, for access by the handicapped, be and hereby is approved and accepted, said bid being the lowest responsible bid submitted in conformance with the specifications relating thereto, and that

the contract be awarded to the Contractor conditional upon approval of said bid by the Housing and Urban Development Agency of the Federal Government, and

2. That upon receipt of said approval, the Supervisor be and is hereby authorized to execute said contract on behalf of the Town of Lancaster, upon said contractor's furnishing of all required bonds and insurance.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 3, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.
2. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
3. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
4. Traffic Study - Reconstruction, Genesee Street and Ransom Road
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
5. Traffic Study - Signal, Bowen Road and William Street
On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visibility restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.
6. Traffic Study - Speed Reduction, Pavement Road, Broadway North to Walden Avenue
On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.
7. Traffic Study - Speed Reduction, Ransom Road, Broadway North to Genesee Street
On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

COMMUNICATIONS:DISPOSITION

644. Cheektowaga Town Clerk to Town Clerk -
Notice of Public Hearing to be held 9/16/85
on Marenovic Rezone Petition and Special
Use Permit Application for 6490 Transit Rd.
645. Asst. Building Inspector to Town Board -
Monthly report for August 1985.
646. Frank's Restaurant to Town Clerk -
Copy of NYS Liquor Authority, Notification
Rider to Renewal Application.
647. Town Clerk -
Copies of letters requested by Town Board
at 8/15/85 meeting.
648. Lancaster-Depew Community Theatre to Town
Board -
Notice of compliance to clean "G" building
with request for renewal of lease.
649. Assoc. of Erie County Governments to Supervisor -
Notice of gathering to be held 8/29/85
at Eden.
650. Supervisor to County Comm. of Highways -
Request inspection of William St.
651. Army Corps of Engineers to Supervisor -
Response to inquiry on debris problem in
Ellicott Creek.
652. County Dept. of Environment and Planning to
Supervisor -
Request sewer rehabilitation timetable.
653. Erie & Niagara Counties Regional Planning
Board to Supervisor -
Census population estimates and per capita
income.
654. Assessor to Town Board -
Update of County Reval Program.
655. U.S. Dept. of Labor to Supervisor -
Update of FLSA provisions.
656. Off. of Disaster Preparedness to Supervisor -
Reminder of importance of availability of
disaster plan.
657. Town Engineers to Louis Del Prince & Sons -
Notice of acceptance of Maple Rd.
resurfacing proposal.
658. Youth Bureau Ex. Dir. to Supervisor -
Request transfer of funds for temporary
secretary.
659. County CD Director to Supervisor -
Transmittal of "1985 County CD Block Grant
Program Final Statement of Objectives and
Projected Use of Funds" as submitted to HUD.
660. Alfred J. Zarzour to Supervisor -
Request support for repeal of Seat Belt Law.
661. Lancaster Opera House to Supervisor -
Report of cash flow from 1981-1984.

TOWN ATTORNEY FOR
REVIEW
BUILDING INSPECTOR

R & F

CHIEF FOWLER

R & F

BLDG. COMMITTEE

R & F

R & F

DRAINAGE COMMITTEE

TOWN ATTORNEY FOR
REVIEW
ENGINEER

R & F

R & F

TOWN ATTORNEY FOR
REVIEW

R & F

R & F

SUPERVISOR

R & F

R & F

R & F

COMMUNICATIONS CONT'D.:DISPOSITION

662. Town Board - Proclamation establishing 8/28-9/3/85 as "Operation Lifesaver Rail-Highway Awareness Week."	<u>R & F</u> _____ _____ _____
663. Town Clerk to Fire Chiefs and Presidents - Notice of annual inspection on 9/21/85.	<u>R & F</u> _____ _____
664. Supervisor to Town Attorney - Request review of "Save/Share" Plan submitted by Allied Controls, Inc.	<u>R & F</u> _____ _____
665. Ramada Inn to Supervisor - Notice of intent to renew liquor license.	<u>CHIEF FOWLER</u> _____ _____
666. Supervisor to Highway Supt. - Second request to submit trash disposal bid specifications.	<u>TOWN CLERK</u> _____ _____
667. Buildings Dept. Foreman to Town Board - Advisement concerning Ambulance Building and Depew Library.	<u>R & F</u> _____ _____
668. Air Force Reserve Assistance Coordinator to Town Board - Request use of Prast Building.	<u>BLDG. COMMITTEE</u> _____ _____
669. Plumbing Contractors' Assoc. to Town Clerk - Comments concerning handicap access renovation bids.	<u>TOWN ATTORNEY FOR REPLY</u> _____ _____
670. Supervisor to Police Chief - Update on ambulance use as mobile command post.	<u>R & F</u> _____ _____
671. Town Line Fire Dept. HAZMAT to Supervisor - Invitation to mutual aid drill to be held 9/21/85 at Town Line and Broadway.	<u>R & F</u> _____ _____
672. Supervisor to Town Board - Recommendation of approval to upgrade Motor Vehicle Operator.	<u>TOWN CLERK FOR SUSPENDED RESOLUTION</u> _____ _____
673. Assessor to Town Board - Annual Report for 1986.	<u>R & F</u> _____ _____

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications -

SUSPENSION GRANTED.

674. U.A. Plumbers' & Pipefitters' Local No. 36 to Town Clerk - Request that an addendum be prepared to permit separate plumbing bids.	<u>TOWN ATTORNEY FOR REPLY</u> _____ _____
675. March of Dimes to Town Board - Request permission to use 6357 Transit Rd. as a Halloween House.	<u>BLDG. INSPECTOR</u> _____ _____
676. Donald Gallo, Consulting Engineer to Supervisor - Recommendation that Contract No. 1 be awarded to Glanadda Construction Corp.	<u>TOWN ATTORNEY FOR SUSPENDED RESOLUTION</u> _____ _____

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 9:30 P.M. out of respect to:

LORNE LITWILLER
FLOYD NICTER ✓
RUTH MOTZ
LUCY VENTURA ✓

Signed Robert P. Thill
Robert P. Thill, Town Clerk